

REMARKS

Response to Restriction Requirement

Claims 1-8 are pending in this application and have been subjected to restriction under 35 U.S.C. §121 because, in the Examiner's opinion, as set forth in the Detailed Action, the application contains claims directed to two patentably distinct inventions as follows:

<u>Group</u>	<u>Claims</u>	<u>Invention</u>
1	1-4	A non-contact hydrostatic pressure measurement apparatus, classified in class 600, subclass 398.
2	5-8	A process of measuring intraocular pressure, classified in class 600, subclass 401.

As between those two groups, Applicants provisionally elect to pursue prosecution of Group I, claims 1-4.

This election is made with traverse. Applicants respectfully submit that for such a requirement to be proper, “[t]here must be a serious burden on the examiner if restriction is not required.” M.P.E.P. § 803. Applicants respectfully submit that (1) all groups of restricted claims are properly presented in the same application; (2) undue diverse searching should not be required; and (3) all claims should be examined together. For the foregoing reasons, it is respectfully submitted that the election requirement should be withdrawn and an action on the merits of all the claims is respectfully solicited.

Should the restriction requirement be made final, Applicants expressly reserve the right to represent the non-elected claims in divisional application(s), if necessary. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

Appl. No. 10/690,075
Paper dated August 9, 2006
Reply to Restriction Requirement dated July 24, 2006

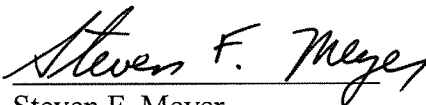
CONCLUSION

An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5178.

Respectfully submitted,
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Dated: August 9, 2006

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